

EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, *et al.*,

Plaintiffs,

V.

UNITED STATES OF AMERICA, *et al.*,

Defendants,

and

KARLA PEREZ, *et al.*,

Defendant-

Intervenors.

Case No. 1:18-CV-68

**DEFENDANT-INTERVENORS' NOTICE OF DEPOSITION UPON ORAL
EXAMINATION OF RULE 30(B)(6) WITNESS**

TO: Defendant United States of America, by and through Jeffrey S. Robins, Attorney in Charge, U.S. Department of Justice, Civil Division, Office of Immigration Litigation, District Court Section, P.O. Box 868, Washington, D.C. 20044, (Jeffrey.Robins@usdoj.gov).

Pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Defendant-Intervenors Karla Perez, *et al.*, by and through their undersigned counsel, give notice that they will take the deposition, by oral examination and before a certified court reporter, of Defendant United States of America, specifically the Department of Homeland Security (“DHS”) which is an agency of Defendant United States of America.

Defendant United States of America has a duty under Rule 30(b)(6) to designate one or more employees, or other persons who consent to testify on its behalf, and such person(s) shall

testify as to the matters known or reasonably available to DHS, on the topics specified in the attached Schedule A.

The deposition shall take place on June __, 2018 at __ AM/PM, at the offices of the Mexican American Legal Defense and Educational Fund, which are located at 110 Broadway, Ste. 300, San Antonio, Texas 78208, until complete.

Said deposition, answers, and documentation obtained during the same may be read and used as evidence in the above-captioned case in accordance with the Federal Rules of Civil Procedure and the Federal Rules of Evidence.

Dated: June __, 2018

Respectfully submitted,

**MEXICAN AMERICAN LEGAL
DEFENSE AND EDUCATIONAL FUND**

By: /s/ Celina Moreno
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CERTIFICATE OF SERVICE

I, the undersigned counsel, hereby certify that a true and correct copy of this notice was sent on June __, 2018, via Certified Mail, Return Receipt Requested and electronic mail to:

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/s/ Celina Moreno

Celina Moreno

SCHEDULE A

Pursuant to Rule 30(b)(6), Defendant-Intervenors Karla Perez, *et al.* set forth below the following subject matter areas for the deposition of Defendant United States of America:

1. Any and all information related to guidelines followed by DHS, and any of its subsidiary agencies, departments, agents, and employees, to evaluate, process, and adjudicate Deferred Action for Childhood Arrivals (“DACA”) applications, including, but not limited to: (1) internal agency documents, memoranda, and communications that set forth any guidance, rules, or procedures that agents and employees follow when they evaluate, process, and adjudicate DACA applications; (2) training materials provided to agents or employees related to DACA evaluations and adjudications; and (3) changes following January 20, 2017 in any guidance, rules, or procedures that agents and employees follow when they evaluate, process, and adjudicate DACA applications.
2. Any and all information related to the process by which DHS, and any of its subsidiary agencies, departments, agents, and employees, evaluates, processes, and adjudicates DACA applications, including but not limited to: (1) under what circumstances a DACA application is rejected, denied, or approved; (2) the number and location of agents and employees whose work relates to the evaluation and adjudication of DACA applications; (3) the procedure(s) employed by agents and employees who work in the evaluation and adjudication of DACA applications; and (4) changes in the process for evaluating, processing, and adjudicating DACA applications following January 20, 2017.
3. Any and all information related to which offices within USCIS evaluates and adjudicates DACA applications.
4. Any and all information regarding the number of DACA applications adjudicated at each of the five service centers within the USCIS Service Center Operations Directorate (SCOPS) each year for the period of June 2012 to June 2018.
5. Any and all information related to the number of initial and renewal DACA applications received by the Department of Homeland Security from each Plaintiff State for each month during the period of June 2012 to June 2018 and, from among those numbers: (1) the number of applications rejected by the Department from each Plaintiff state for each month during the period of June 2012 to June 2018; (2) the number of applications accepted by the Department from each Plaintiff state for each month during the period of June 2012 to June 2018; (3) the number of applications approved by the Department from each Plaintiff state for each month during the period of June 2012 to June 2018; (4) the number of applications denied by the Department from each Plaintiff state for each month during the period of June 2012 to June 2018; and (5) documents or other evidentiary material created by or for, or in the possession of, DHS or any of its subsidiary agencies or departments regarding the above.
6. Any and all information related to the process by which DHS, and any of its subsidiary agencies, departments, agents, and employees, evaluates and adjudicates applications or

requests for deferred action, other than DACA, including but not limited to: (1) under what circumstances an application or request is rejected, denied, accepted or granted; (2) the number and location of agents and employees whose work relates to the evaluation and adjudication of deferred action applications or requests; (3) and the procedure(s) employed by agents and employees to adjudicate deferred action applications or requests; and (4) any changes in the process or criteria used by DHS agents and employees to adjudicate applications or requests for deferred action other than DACA since January 20, 2017.

7. Any and all information relating to how DHS or any of its subsidiary agencies or departments tracks information about DACA applications.
8. Any and all information related to the USCIS processing time of accepted and approved DACA applications, including but not limited to: (1) the amount of time that elapses between the date USCIS accepts an application and the time the application is approved; (2) the amount of time that elapses between the date USCIS approves an application and the date an applicant receives an employment authorization document, if granted; and (3) any changes in the processing time described above since January 20, 2017.
9. Any and all information related to the number of initial and renewal DACA applications USCIS has accepted and denied from each Plaintiff State for each month during the period of June 2012 to June 2018, and from among those numbers: (1) the number of DACA applications denied at least in part because the applicant was a suspected gang member; (2) the number of DACA applications denied at least in part because the applicant posed a threat to national security or public safety; and (3) the number of DACA applications denied after the adjudicator determined the applicant met the five criteria outlined in the 2012 DACA memorandum.
10. Any and all information related to the number of initial and renewal DACA applications USCIS has accepted and subsequently issued Requests for Evidence (“RFEs”) from each Plaintiff State for each month during the period of June 2012 to June 2018, and from among those numbers: (1) the number of RFEs related to whether the applicant was under the age of 31 as of June 15, 2012; (2) the number of RFEs related to whether the applicant came to the United States before reaching his or her 16th birthday; (3) the number of RFEs related to whether the applicant has continuously resided in the United States since June 15, 2007, up to the time of application; (4) the number of RFEs related to whether the applicant was physically present in the United States on June 15, 2012, and at the time of making the request for consideration of deferred action; (5) the number of RFEs related to whether the applicant had no lawful status on June 15, 2012; (6) the number of RFEs related to whether the applicant was currently in school, graduated or obtained a certificate of completion from high school, obtained a general education development (GED) certificate, or was an honorably discharged veteran of the Coast Guard or Armed Forces of the United States; (7) the number of RFEs related to whether the applicant had not been convicted of a felony, significant misdemeanor, or three or more other misdemeanors, and did not otherwise pose a threat to national security or public safety.

11. Any and all information regarding the number of approved, initial DACA applications submitted by individuals who indicated on their I-821D, in response to Part 3. Question 4., that their immigration status on June 15, 2012 was “Status Expired” or “Parole Expired,” and who answered in the affirmative in response to Part 3. Question 5.a. (“Were you EVER issued an Arrival-Departure Record”), for each Plaintiff State for each month during the period of June 2012 to June 2018.
12. Any and all information regarding the number of DACA recipients who adjusted their status to lawful permanent resident, for each Plaintiff State for each month during the period of June 2012 to June 2018, and among that number: (1) the number of DACA recipients who adjusted under 8 U.S.C. 1255(i); and (2) the number of DACA recipients who adjusted under 8 U.S.C. 1255(a).